

Ifw AF 1644

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY

Date:

8/11/04

MAIL STOP AF



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:
Jürgen Eck, *et al.*

Conf. No.: 3271

: Group Art Unit: 1644

Appln. No.: 09/347,064

: Examiner: Gerald R. Ewoldt

Filing Date: July 02, 1999

: Attorney Docket No.: 9282-5
(B 3521 US)

Title: Nucleic Acids Encoding Fusion Proteins Based on Ribosome-Inactivating
Proteins of the Mistletoe *Viscum Album*

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Decision dated March 11, 2004, Part of Paper No./Mail Date 304, of the Primary Examiner finally rejecting claims 1-27, 29, 33-37, and 47-49.

The items checked below are appropriate:

- ☐ A Petition for Extension of Time with extension fee for month(s) to to respond to the final rejection was filed on .
- ☒ A Petition for Extension of Time for two months to file the Notice of Appeal and the requisite extension fee in the amount of \$ 210.00 are enclosed.
- ☐ Notice of Appeal fee is enclosed (if applicable)
 - ☒ \$165.00 - Small Entity has been previously established in this case.
 - ☐ \$330.00.
 - ☐ Not required (fee paid in prior appeal).
- ☐ An oral hearing before the Board of Appeals is respectfully requested. Requisite fee is enclosed.
 - ☐ \$145.00 - Small Entity has been previously established in this case.
 - ☐ \$290.00.
- ☒ Our firm's check in the amount of \$165.00 is enclosed.

- [X] The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 209282.0005) for any overpayments or deficiencies in the above-calculated fee. A duplicate copy of this notice is enclosed.

Respectfully submitted,

JÜRGEN ECK, *et al.*

11 August 2009
(Date)

By:

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